

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
MAKSIM BOIKO,)
Defendant.)
Criminal No. 2:20-cr-00383-MJH
ELECTRONICALLY FILED

MOTION TO CONDUCT CHANGE OF PLEA HEARING BY VIDEOCONFERENCE

Defendant MAKSIM BOIKO, through his Counsel, Arkady Bukh, Esq., files the within Motion to Conduct Change of Plea Hearing By Videoconference and respectfully states as follows:

1. Defendant's Change of Plea Hearing is currently scheduled for 9:15AM, Thursday, December 17, 2020.

2. Defendant has been advised of and understands his right to be physically present at his Change of Plea Hearing and he is aware of this Court's Orders suspending and limiting certain court appearances due to the COVID-19 crisis; and he therefore requests his Change of Plea Hearing be conducted via video pursuant to, and consistent with, the provisions contained in the CARES Act Administrative Order entered in this District on March 30, 2020 at No. 2:20-mc-466-MRH. *See also*, Misc. No. 2:20-mc-394-MRH.

3. Under these circumstances, Defendant hereby waives his right to be physically present at his Change of Plea Hearing and requests leave to participate in this hearing, along with his counsel, via videoconference so that it might be expeditiously concluded.

4. Counsel has discussed this matter with Defendant, who has given his consent to conduct the Change of Plea Hearing by videoconference, and Assistant United States Attorney Charles Eberle does not oppose this request.

5. The Defendant and his counsel represent that the change of plea in this case cannot be further delayed without serious harm to the interests of justice, specifically, to expedite resolution of the matter and to mitigate any enhanced health risks to Defendant due to Covid-19.

6. Justice so requires that the Change of Plea Hearing proceed in this matter in the format requested above.

WHEREFORE, the Defendant respectfully requests that this Honorable Court enter the attached Proposed Order permitting the Change of Plea Hearing to be conducted via videoconference pursuant to Chief Judge Hornak's CARES Act Administrative Order entered at Misc. No. 2:20-mc-466-MRH for the reasons set forth in this Motion. *See also*, Misc. No. 2:20-mc-394-MRH.

Dated: December 14, 2020

Respectfully Submitted,

/s/ Arkady Bukh

Counsel for the Defendant
Bukh Law Firm, PLLC
1123 Avenue Z
Brooklyn, NY11235

cc: All ECF Registered Counsel of Record